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SENATE

{ REPORT
106-272

JOHN H. CHAFEE ENVIRONMENTAL EDUCATION ACT OF 1999

APRIL 13, 2000.—Ordered to be printed

Mr. SMITH of New Hampshire, from the Committee on
Environment and Public Works, submitted the following

REPORT

[to accompany S. 1946]

[Including cost estimate of the Congressional Budget Office]

The Committee on Environment and Public Works, to which was referred the bill (S. 1946), to amend the National Environmental Education Act to redesignate that Act as the “John H. Chafee Environmental Education Act”, to establish the John H. Chafee Memorial Fellowship Program, to extend the programs under that Act, and for other purposes, having considered the same, reports favorably with amendments and recommends that the bill, as amended, do pass.

GENERAL STATEMENT

BACKGROUND

The National Environmental Education Act of 1990

The National Environmental Education Act of 1990 was signed into law by President Bush on November 16, 1990. The Act established a comprehensive environmental education program at the Federal level to support State and local efforts. It established an Office of Environmental Education within the Environmental Protection Agency. The Office was charged with developing and supporting environmental education programs and other related efforts to improve the understanding of the natural and built environ-

ment, and the relationships between humans and their environment, including the global aspects of environmental programs. The Office has managed a Federal grant assistance program provided to State and local education agencies, institutions of higher education, other not-for-profit organizations and noncommercial education broadcasting entities to support projects that design, demonstrate or disseminate practices, methods, or techniques related to environmental education and training. The Act also authorized the Office to create environmental internships and fellowships and environmental education awards.

The Act created a National Environmental Education Advisory Council and Federal Task Force. The Advisory Council was charged to represent the various education constituent groups and to advise, consult with, and make recommendations to the Administrator of the Environmental Protection Agency on environmental education matters. The Task Force was comprised of Federal Agencies with a role in environmental education. The Task Force was charged to advise, consult with, and make recommendations to the Administrator of the Environmental Protection Agency to assure Federal coordination of the Act.

Finally, the Act created the National Environmental Education and Training Foundation. The Foundation was established in order to extend the contribution of environmental education and training by facilitating the cooperation, coordination, and contribution of public and private resources to create an environmentally advanced educational system. The purpose of the Foundation was to foster an open and effective partnership among Federal, State, and local government, business, industry, academic institutions, community based environmental groups, and international organizations.

Summary of S. 1946

As amended and approved by the Committee on Environment and Public Works, the bill is a single title with eight sections. The bill extends the authorization for programs authorized by the National Environmental Education Act until 2005. The bill includes a number of changes to make programs authorized under the Act operate more efficiently and effectively.

SECTION-BY-SECTION ANALYSIS

Section 1. Short Title

Section 1 establishes the short title of the bill and redesignates the National Environmental Education Act as the “John H. Chafee Environmental Education Act” in honor of the late Senator John H. Chafee who died on October 24, 1999.

Sec. 2. Office of Environmental Education

Section 2 ensures that the Office of Environmental Education’s programs will be balanced and scientifically sound. This section seeks to ensure the environmental education programs supported under this Act adhere to certain key principles. The Act supports environmental education programs and materials that characterize environmental problems in a factual and objective way. The Act supports environmental education programs that point students

and teachers toward constructive solutions to problems including those that achieve conservation and economic goals. When appropriate to a particular environmental topic, education programs supported by this Act should attempt to incorporate public health and economic analysis of environmental problems and solutions into the educational program.

This section also makes several changes that are intended to provide the Office of Environmental Education with additional flexibility in implementing the programs authorized under the Act. This section removes the requirement that the Office of Education be directed by a member of the Senior Executive Service, which is consistent with government-wide cost savings measures; clarifies EPA's ability to implement the program through both EPA's headquarters and regional offices; and authorizes the Office to utilize grants, cooperative agreements, or contracts which will provide for more flexibility in implementing the program.

Sec. 3. Environmental Education Grants

Section 3 changes the percentage of small grants awarded at \$5,000 or less from 25 percent to 15 percent. This change reflects the actual number of grants the Agency has received under the program over the last 5 years. The intent of the program remains unchanged, to provide the greatest number of small grants as possible. Small grants tend to benefit local schools and community-based organizations, and providing a set number at \$5,000 or less encourages these organizations to apply under the program. It is expected that a substantial percentage also will go to these organizations above the \$5,000 amount. The 15 percent is not a ceiling for small grants, but a floor.

Section 3 reaffirms the ban against supporting lobbying activities through the funding of the program grants. Lobbying activity is defined by the Act as described in documents issued by the Office of Management and Budget and designated as Circulars No. A-21 and No. A-122. These Circulars make unallowable a recipient's use of grant funds to attempt to influence the outcomes of elections or initiatives; to attempt to influence the introduction or enactment of Federal or State legislation through communications with members or employees of Congress or State legislatures or by preparing, distributing or using publicity or propaganda, or by urging members of the public to contribute to or participate in any demonstration or campaign; or for legislative liaison activities, including attending committee hearings and analyzing legislation, in support of a lobbying effort. The purpose of this language is to ensure that this program does not become a vehicle to lobby Congress or the executive branch.

Section 3 also requires that the EPA's Science Advisory Board review and approve all guidance on environmental education grants before it is issued by the Administrator. This is to ensure that the guidance materials are based on sound scientific principles.

Sec. 4. John H. Chafee Memorial Fellowship Program

Section 4 establishes the John H. Chafee Memorial Fellowship Program and Fellowship Panel, and eliminates the internship and fellowship programs for the Office of Environmental Education.

These EPA programs were never implemented fully due to the expense of operation and the duplicative nature of the programs with other Federal programs. The John H. Chafee Memorial Fellowship Program administers and awards five annual, \$25,000, 1-year higher education fellowships in environmental sciences. Two of these John H. Chafee Fellowships are from the University of Rhode Island and three are from other sponsoring institutions. The purpose of the Program is to stimulate innovative graduate level study and the development of expertise in and effective approaches to complex, relevant and important environmental issues. The Fellowship Panel, consisting of 5 members appointed by the National Environmental Education Advisory Council, establishes the criteria for a competitive selection process for John H. Chafee Fellowship recipients.

Sec. 5. National Environmental Education Awards

Section 5 streamlines the existing environmental awards program to recognize and emphasize the "President's Environmental Youth Awards." The other awards programs were never implemented fully and are duplicative of similar award programs operated mainly by non-government organizations. This change will highlight the importance of the Presidential awards, a program which honors primary and secondary students for outstanding projects to promote local environmental awareness.

Sec. 6. Environmental Education Advisory Council and Task Force

Section 6 provides flexibility for the National Environmental Education Advisory Council and Federal Task Force. The Council will no longer be required to have 11 members. EPA will have greater flexibility to appoint between 6 and 11 members (at least one from six different categories) based upon the current needs and requirements of the program. In addition, the Federal Task Force membership will be comprised of any Federal agency with environmental education activities, instead of requiring a list of agencies to participate. Removing the current requirement will allow flexibility for the appropriate agencies to participate based upon current needs.

Sec. 7. National Environmental Learning Foundation

Section 7 changes the name of the National Environmental Education and Training Foundation to the National Environmental Learning Foundation, which better represents the goal and mission of the organization. In addition, the number of members on the Board of Directors is increased from 13 to 19, which will provide additional support for the Foundation in the private sector.

The Foundation frequently joins with other interested partners to establish cooperative education and outreach programs. Partners contribute matching funds, goods, services, expertise, or other needs to make the project a success. Section 7 provides the Foundation with the authority to acknowledge private donations and participants in the Foundation's collaborative programs. Private and public participants are important to the Foundation's goal of fostering an open and effective partnership among Federal, State, and local government, business, industry, academic institutions, envi-

ronmental groups, and international organizations. Although it is important to acknowledge the contributions of the various partners, the form of such acknowledgment should be in keeping with the intent of the Foundation's purpose. This section is intended to ensure that the names of program partners are not the predominant feature on any portion of materials produced as a result of partnerships with the Foundation.

Sec. 8. Authorization of Appropriations

Section 8 reauthorizes the program, with the funding level authorized at \$10 million for each of fiscal years 2000 through 2005, and such sums as may be necessary thereafter. This funding level recognizes the importance of the program while maintaining fiscal responsibility. The percentage of funding for grants also is increased to 40 percent which represents a shifting of the funds from the awards program to the grants which is the primary focus of the program. In addition, the administrative expenses for the Office of Environmental Education are limited to no more than 25 percent of the funds provided. Section 8 also requires that the Office of Environmental Protection provide at the end of each fiscal year an Expense Report to Congress detailing how funds appropriated under the Act were spent.

HEARINGS

No hearings were held on S. 1946.

LEGISLATIVE HISTORY

On November 17, 1999, Senator Inhofe introduced S. 1946, the John H. Chafee Environmental Education Act. The committee ordered the bill reported on February 9, 2000 by voice vote.

ROLLCALL VOTES

Section 7(b) of the rule XXVI of the Standing Rules of the Senate and the rules of the Committee on Environment and Public Works require that any rollcall votes taken during consideration of legislation be noted in the report.

On February 9, 2000, the committee met to consider S. 1946. The bill was agreed to by unanimous consent and was ordered reported by voice vote. No rollcall votes were taken.

REGULATORY IMPACT

Section 11(b) of rule XXVI of the Standing Rules of the Senate requires publication in the report the committee's estimate of the regulatory impact made by the bill as reported. No regulatory impact is expected by the passage of this bill.

The bill will not affect the personal privacy of individuals.

MANDATES ASSESSMENT

In compliance with the Unfunded Mandates Reform Act of 1995 (Public Law 104-4), the committee makes the following evaluation of the Federal mandates contained in the reported bill.

S. 1946 imposes no Federal intergovernmental mandates on State, local or tribal governments.

COST OF LEGISLATION

Section 403 of the Congressional Budget and Impoundment Control Act requires that a statement of the cost of the reported bill, prepared by the Congressional Budget Office, be included in the report. That statement follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, February 23, 2000.

Hon. ROBERT C. SMITH, *Chairman,*
Committee on Environment and Public Works,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1946, the John H. Chafee Environmental Education Act of 1999.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Susanne S. Mehlman (for Federal costs), who can be reached at 226-2860, and Shelley Finlayson (for the State and local impact), who can be reached at 225-3220.

Sincerely,

DAN L. CRIPPEN.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 1946, John H. Chafee Environmental Education, as ordered reported by the Senate Committee on Environment and Public Works on February 9, 2000

Summary

S. 1946 would redesignate the National Environmental Education Act as the John H. Chafee Environmental Education Act and would authorize the appropriation of \$10 million annually over the 2000-2005 period to the Environmental Protection Agency (EPA) to carry out its responsibilities under the bill. The bill also would amend provisions of the National Environmental Education Act regarding environmental education grants, internships, fellowships, and awards. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. S. 1946 contains no intergovernmental or private sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no other costs on State, local, or tribal governments.

Estimated Cost to the Federal Government

The estimated budgetary impact of S. 1946 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment). For the purpose of this estimate, CBO assumes that S. 1946 will be enacted by the summer of 2000 and that the full amounts authorized by the bill

will be appropriated for each fiscal year. Estimated outlays are based on historical spending patterns for this program.

By Fiscal Year, in Millions of Dollars

	2000	2001	2002	2003	2004	2005
SPENDING SUBJECT TO APPROPRIATION						
Spending Under Current Law:						
Budget Authority	7	0	0	0	0	0
Estimated Outlays	7	1	0	0	0	0
Proposed Changes:						
Authorization Level	3	10	10	10	10	10
Estimated Outlays	1	10	11	11	10	10
Spending Under S. 1946:						
Authorization Level ^a	10	10	10	10	10	10
Estimated Outlays	8	11	11	11	10	10

a. The 2000 level includes the amount appropriated for that year.

Pay-As-You-Go Considerations: None.

Estimated Impact on State, Local, and Tribal Governments

S. 1946 contains no intergovernmental mandates as defined in UMRA and would impose no other costs on State, local, or tribal governments. Of the funds authorized for appropriation by the bill, at least 40 percent would be used for grants to support environmental education. Many of these grants would go to local education agencies, public colleges and universities, and State educational or environmental agencies. These grants, in most cases, require 25 percent matching funds or in-kind contributions from the recipients.

Estimated Impact on the Private Sector: This bill would impose no new private-sector mandates as defined in UMRA.

Estimate Prepared by: Federal Costs: Susanne S. Mehlman (226–2860); Impact on State, local, and tribal governments: Shelley Finlayson (225–3220).

Estimate Approved by: Robert A. Sunshine, Assistant Director for Budget Analysis.

CHANGES IN EXISTING LAW

In compliance with section 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill as reported are shown as follows: Existing law proposed to be omitted is enclosed in [black brackets], new matter is printed in *italic*, existing law in which no change is proposed is shown in roman:

NATIONAL ENVIRONMENTAL EDUCATION ACT¹

[As Amended Through P.L. 105–271, October 19, 1998]

AN ACT to promote environmental education, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) TITLE.—This Act may be cited as the “National Environmental Education Act”.

(b) TABLE OF CONTENTS.—

- Sec. 1. Short title and table of contents.
- Sec. 2. Findings and policy.
- Sec. 3. Definitions.
- Sec. 4. Office of Environmental Education.
- Sec. 5. Environmental education and training program.
- Sec. 6. Environmental education grants.
- Sec. 7. Environmental internships and fellowships. **[**
- Sec. 7. *John H. Chafee Memorial Fellowship Program.*
- Sec. 8. Environmental education awards. **]**
- Sec. 8. *National environmental education awards.*
- Sec. 9. Environmental Education Advisory Council and Task Force.
- Sec. 10. National Environmental Education and Training Foundation. **[**
- Sec. 10. *National Environmental Learning Foundation.*
- Sec. 11. Authorization. **]**
- Sec. 11. *Authorization of appropriations.*

SEC. 2. FINDINGS AND POLICY.

(a) FINDINGS.—The Congress finds that—

(1) Threats to human health and environmental quality are increasingly complex, involving a wide range of conventional and toxic contaminants in the air and water and on the land.

(2) There is growing evidence of international environmental problems, such as global warming, ocean pollution, and declines in species diversity, and that these problems pose serious threats to human health and the environment on a global scale.

(3) Environmental problems represent as significant a threat to the quality of life and the economic vitality of urban areas as they do the natural balance of rural areas.

(4) Effective response to complex environmental problems requires understanding of the natural and built environment, awareness of environmental problems and their origins (including those in urban areas), and the skills to solve these problems.

(5) Development of effective solutions to environmental problems and effective implementation of environmental programs requires a well educated and trained, professional work force.

¹ Public Law 101–619.

(6) Current Federal efforts to inform and educate the public concerning the natural and built environment and environmental problems are not adequate.

(7) Existing Federal support for development and training of professionals in environmental fields is not sufficient.

(8) The Federal Government, acting through the Environmental Protection Agency, should work with local education institutions, State education agencies, not-for-profit educational and environmental organizations, noncommercial educational broadcasting entities, and private sector interests to support development of curricula, special projects, and other activities, to increase understanding of the natural and built environment and to improve awareness of environmental problems.

(9) The Federal Government, acting through the coordinated efforts of its agencies and with the leadership of the Environmental Protection Agency, should work with local education institutions, State education agencies, not-for-profit educational and environmental organizations, noncommercial educational broadcasting entities, and private sector interests to develop programs to provide increased emphasis and financial resources for the purpose of attracting students into environmental engineering and assisting them in pursuing the programs to complete the advanced technical education required to provide effective problem solving capabilities for complex environmental issues.

(10) Federal natural resource agencies such as the United States Forest Service have a wide range of environmental expertise and a long history of cooperation with educational institutions and technology transfer that can assist in furthering the purposes of the Act.

(b) **POLICY.**—It is the policy of the United States to establish and support a program of education on the environment, for students and personnel working with students, through activities in schools, institutions of higher education, and related educational activities, and to encourage postsecondary students to pursue careers related to the environment.

SEC. 3. DEFINITIONS.

For the purposes of this Act, the term—

(1) “Administrator” means the Administrator of the Environmental Protection Agency;

(2) “Agency” means the United States Environmental Protection Agency;

(3) “Federal agency” or “agency of the United States” means any department, agency or other instrumentality of the Federal Government, any independent agency or establishment of the Federal Government including any Government corporation;

(4) “Secretary” means the Secretary of the Department of Education;

(5) “local educational agency” means any education agency as defined in section 14101 of the Elementary and Secondary

Education Act of 1965 (20 U.S.C. 3381) and shall include any tribal education agency;

(6) “not-for-profit” organization means an organization, association, or institution described in section 501(c)(3) of the Internal Revenue Code of 1986, which is exempt from taxation pursuant to the provisions of section 501(a) of such Code;

(7) “noncommercial education broadcasting entities” means any noncommercial educational broadcasting station (and/or its legal nonprofit affiliates) as defined and licensed by the Federal Communications Commission;

(8) “tribal education agency” means a school or community college which is controlled by an Indian tribe, band, or nation, including any Alaska Native village, which is recognized as eligible for special programs and services provided by the United States to Indians because of their status as Indians and which is not administered by the Bureau of Indian Affairs;

(9) “Federal natural resource management agencies” means the United States Forest Service, the Bureau of Land Management, the National Park Service, and the Fish and Wildlife Service;

(10) “environmental engineering” means the discipline within engineering and science concerned with the development and application of scientific and technical solutions to protecting the aquatic and atmospheric environment, including, but not limited to, all phases of water resources planning, water supply, water treatment, air pollution characterization and control, remediation of hazardous substances, environmental transport of contaminants in surface and ground water and atmosphere, and methods for assessment and control of pollution;

(11) “environmental education” and “environmental education and training” mean educational activities and training activities involving elementary, secondary, and postsecondary students, as such terms are defined in the State in which they reside, and environmental education personnel, but does not include technical training activities directed toward environmental management professionals or activities primarily directed toward the support of noneducational research and development;

[(12) “Foundation” means the National Environmental Education and Training Foundation established pursuant to section 10 of this Act; and]

(12) “*Foundation*” means the *National Environmental Learning Foundation* established by section 10;

(13) “Board of Directors” means the Board of Directors of the [National Environmental Education and Training Foundation.] *Foundation*;

(14) “*Panel*” means the *John H. Chafee Fellowship Panel* established under section 7(f);

(15) “*sponsoring institution*” means an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001));

(16) “elementary school” has the meaning given the term in section 14101 of the *Elementary and Secondary Education Act of 1965* (20 U.S.C. 8801); and

(17) “secondary school” has the meaning given the term in section 14101 of the *Elementary and Secondary Education Act of 1965* (20 U.S.C. 8801).

SEC. 4. OFFICE OF ENVIRONMENTAL EDUCATION.

(a) The Administrator shall establish an Office of Environmental Education within the Environmental Protection Agency.

(b) The Office of Environmental Education shall—

(1) develop and support *balanced and scientifically sound* programs and related efforts, in consultation and coordination with other Federal agencies, to improve understanding of the natural and built environment, and the relationships between humans and their environment, including the global aspects of environmental problems;

(2) support development and the widest possible dissemination of model curricula, educational materials, and training programs for elementary and secondary students and other interested groups, including senior Americans;

(3) develop and disseminate, in cooperation with other Federal agencies, not-for-profit educational and environmental organizations, State agencies, and noncommercial educational broadcasting entities, environmental education publications and audio/visual and other media materials;

(4) develop and support environmental education seminars, training programs, teleconferences, and workshops for environmental education professionals, as provided for in section 5 of this Act;

(5) manage Federal grant assistance provided to local education agencies, institutions of higher education, other not-for-profit organizations, and noncommercial education broadcasting entities, under section 6 of this Act;

[(6) administer the environmental internship and fellowship programs provided for in section 7 of this Act;]

[(7)] (6) administer the environmental awards program provided for in section 8 of this Act;

[(8)] (7) provide staff support to the Advisory Council and Task Force provided for in section 9 of this Act;

[(9)] (8) assess, in coordination with other Federal agencies, the demand for professional skills and training needed to respond to current and anticipated environmental problems and cooperate with appropriate institutions, organizations, and agencies to develop training programs, curricula, and continuing education programs for teachers, school administrators, and related professionals;

[(10)] (9) assure the coordination of Federal statutes and programs administered by the Agency relating to environmental education, consistent with the provisions and purposes of those programs, and work to reduce duplication or inconsistencies within these programs;

[(11)] (10) work with the Department of Education, the Federal Interagency Committee on Education, and with other Federal agencies, including Federal natural resource management agencies, to assure the effective coordination of programs related to environmental education, including environmental education programs relating to national parks, national forests, and wildlife refuges;

[(12)] (11) provide information on environmental education and training programs to local education agencies, State education and natural resource agencies, and others; and

[(13)] (12) otherwise provide for the implementation of this Act *through the headquarters and the regional offices of the Agency.*

[(c) The Office of Environmental Education shall—

[(1) be directed by a Director who shall be a member of the Senior Executive Service;

[(2) include a headquarters staff of not less than six and not more than ten full-time equivalent employees; and

[(3) be supported by one full-time equivalent employee in each Agency regional office.]

(c) *STAFF.—The Office of Environmental Education shall—*

(1) include a headquarters staff of not more than 10 full-time equivalent employees; and

(2) be supported by 1 full-time equivalent employee in each regional office of the Agency.

(d) *ACTIVITIES.—The Administrator may carry out the activities described in subsection (b) directly or through awards of grants, cooperative agreements, or contracts.*

SEC. 5. ENVIRONMENTAL EDUCATION AND TRAINING PROGRAM.

(a) There is hereby established an Environmental Education and Training Program. The purpose of the program shall be to train educational professionals in the development and delivery of environmental education and training programs and studies.

(b) The functions and activities of the program shall include, at a minimum—

(1) classroom training in environmental education and studies including environmental sciences and theory, educational methods and practices, environmental career or occupational education, and topical environmental issues and problems;

(2) demonstration of the design and conduct of environmental field studies and assessments;

(3) development of environmental education programs and curriculum, including programs and curriculum to meet the needs of diverse ethnic and cultural groups;

(4) sponsorship and management of international exchanges of teachers and other educational professionals between the United States, Canada, and Mexico involved in environmental programs and issues;

(5) maintenance or support of a library of environmental education materials, information, literature, and technologies, with electronic as well as hard copy accessibility;

(6) evaluation and dissemination of environmental education materials, training methods, and related programs;

(7) sponsorship of conferences, seminars, and related forums for the advancement and development of environmental education and training curricula and materials, including international conferences, seminars, and forums;

(8) supporting effective partnerships and networks and the use of distant learning technologies; and

(9) such other activities as the Administrator determines to be consistent with the policies of this Act. Special emphasis should be placed on developing environmental education programs, workshops, and training tools that are portable and can be broadly disseminated.

(c)(1) The Administrator shall make a grant on an annual basis to an institution of higher education or other institution which is a not-for-profit institution (or consortia of such institutions) to operate the environmental education and training program required by this section.

(2) Any institution of higher education or other institution (or consortia of such institutions) which is a not-for-profit organization and is interested in receiving a grant under this section may submit to the Administrator an application in such form and containing such information as the Administrator may require.

(3) The Administrator shall award grants under this section on the basis of—

(A) the capability to develop environmental education and training programs;

(B) the capability to deliver training to a range of participants and in a range of settings;

(C) the expertise of the staff in a range of appropriate disciplines;

(D) the relative economic effectiveness of the program in terms of the ratio of overhead costs to direct services;

(E) the capability to make effective use of existing national environmental education resources and programs;

(F) the results of any evaluation under paragraph (5) of this subsection; and

(G) such other factors as the Administrator deems appropriate.

(4) No funds made available to carry out this section shall be used for the acquisition of real property (including buildings) or the construction or substantial modification of any building.

(5) The Administrator shall establish procedures for a careful and detailed review and evaluation of the environmental education and training program to determine whether the quality of the program being operated by the grantee warrants continued support under this section.

(d)(1) Individuals eligible for participation in the program are teachers, faculty, administrators and related support staff associated with local education agencies, colleges, and universities, employees of State education, environmental protection, and natural

resource departments, and employees of not-for-profit organizations involved in environmental education activities and issues.

(2) Individuals shall be selected for participation in the program based on applications which shall be in such form as the Administrator determines to be appropriate.

(3) In selecting individuals to participate in the program, the Administrator shall provide for a wide geographic representation and a mix of individuals, including minorities, working at primary, secondary, postsecondary levels, and with appropriate other agencies and departments.

(4) Individuals selected for participation in the program may be provided with a stipend to cover travel and accommodations from grant funds awarded pursuant to this section in such amounts as the Administrator determines to be appropriate.

SEC. 6. ENVIRONMENTAL EDUCATION GRANTS.

(a) The Administrator may enter into a cooperative agreement or contract, or provide financial assistance in the form of a grant, to support projects to design, demonstrate, or disseminate practices, methods, or techniques related to environmental education and training.

(b) Activities eligible for grant support pursuant to this section shall include, but not be limited to, environmental education and training programs for—

(1) design, demonstration, or dissemination of environmental curricula, including development of educational tools and materials;

(2) design and demonstration of field methods, practices, and techniques, including assessment of environmental and ecological conditions and analysis of environmental pollution problems;

(3) projects to understand and assess a specific environmental issue or a specific environmental problem;

(4) provision of training or related education for teachers, faculty, or related personnel in a specific geographic area or region; and

(5) design and demonstration of projects to foster international cooperation in addressing environmental issues and problems involving the United States and Canada or Mexico.

(c) In making grants pursuant to this section, the Administrator shall give priority to those proposed projects which will develop—

(1) a new or significantly improved environmental education practice, method, or technique;

(2) an environmental education practice, method, or technique which may have wide application;

(3) an environmental education practice, method, or technique which addresses a skill or scientific field identified as a priority in the report developed pursuant to section 9(d) of this Act; and

(4) an environmental education practice, method, or technique which addresses an environmental issue which, in the judgment of the Administrator, is of a high priority.

(d) The program established by this section shall include solicitations for projects, selection of suitable projects from among those proposed, supervision of such projects, evaluation of the results of projects, and dissemination of information on the effectiveness and feasibility of the practices, methods, techniques and processes. Within one year of the date of enactment of this Act, the Administrator shall publish regulations to assure satisfactory implementation of each element of the program authorized by this section.

(e) Within 90 days after the date on which amounts are first appropriated for carrying out this Act, and each year thereafter, the Administrator shall publish a solicitation for environmental education grants. The solicitation notice shall prescribe the information to be included in the proposal and other information sufficient to permit the Administrator to assess the project.

(f) Any local education agency, college or university, State education agency or environmental agency, not-for-profit organization, or noncommercial educational broadcasting entity may submit an application to the Administrator in response to the solicitations required by subsection (e) of this section.

(g) Each project under this section shall be performed by the applicant, or by a person satisfactory to the applicant and the Administrator.

(h) Federal funds for any demonstration project under this section shall not exceed 75 percent of the total cost of such project. For the purposes of this section, the non-Federal share of project costs may be provided by in-kind contributions and other noncash support. In cases where the Administrator determines that a proposed project merits support and cannot be undertaken without a higher rate of Federal support, the Administrator may approve grants under this section with a matching requirement other than that specified in this subsection, including full Federal funding.

(i) Grants under this section shall not exceed \$250,000. In addition, **[25 percent]** *15 percent* of all funds obligated under this section in a fiscal year shall be for grants of not more than \$5,000.

(j) *LOBBYING ACTIVITIES.*—*A grant under this section may not be used to support a lobbying activity (as described in the documents issued by the Office of Management and Budget and designated as OMB Circulars No. A-21 and No. A-122).*

(k) *GUIDANCE REVIEW.*—*Before the Administrator issues any guidance to grant applicants, the guidance shall be reviewed and approved by the Science Advisory Board of the Agency established by section 8 of the Environmental Research, Development, and Demonstration Authorization Act of 1978 (42 U.S.C. 4365).*

[SEC. 7. ENVIRONMENTAL INTERNSHIPS AND FELLOWSHIPS.

[(a)] The Administrator shall, in consultation with the Office of Personnel Management and other appropriate Federal agencies, provide for internships by postsecondary level students and fellowships for in-service teachers with agencies of the Federal Government.

[(b)] The purpose of internships and fellowships pursuant to this section shall be to provide college level students and in-service

teachers with an opportunity to work with professional staff of Federal agencies involved in environmental issues and thereby gain an understanding and appreciation of such issues and the skills and abilities appropriate to such professions.

[(c) The Administrator shall, to the extent practicable, support not less than 250 internships each year and not less than 50 fellowships each year.

[(d) The internship and fellowship programs shall be managed by the Office of Environmental Education. Interns and fellows may serve in appropriate agencies of the Federal Government including, but not limited to, the Environmental Protection Agency, the Fish and Wildlife Service, the National Oceanic and Atmospheric Administration, the Council on Environmental Quality, Federal natural resource management agencies, the Department of Agriculture, and the National Science Foundation.

[(e) Interns shall be hired on a temporary, full-time basis for not to exceed 6 months and shall be compensated appropriately. Fellows shall be hired on a temporary full-time basis for not to exceed 12 months and shall be compensated appropriately. Federal agencies hiring interns shall provide the funds necessary to support salaries and related costs.

[(f)(1) Individuals eligible for participation in the internship program are students enrolled at accredited colleges or universities who have successfully completed not less than four courses or the equivalent in environmental sciences or studies, as determined by the Administrator.

[(2) Individuals eligible for participation in the fellowship program are in-service teachers who are currently employed by a local education agency and have not less than 2 years experience in teaching environmental education, environmental sciences, or related courses.

[(g) Individuals shall be selected for internships and fellowships based on applications which shall be in such form as the Administrator considers appropriate.

[(h) In selecting individuals for internships and fellowships, the Administrator shall provide for wide geographic, cultural, and minority representation.]

SEC. 7. JOHN H. CHAFEE MEMORIAL FELLOWSHIP PROGRAM.

(a) *ESTABLISHMENT.*—*There is established the John H. Chafee Memorial Fellowship Program for the award and administration of 5 annual 1-year higher education fellowships in environmental sciences, to be known as "John H. Chafee Fellowships".*

(b) *PURPOSE.*—*The purpose of the John H. Chafee Memorial Fellowship Program is to stimulate innovative graduate level study and the development of expertise in complex, relevant, and important environmental issues and effective approaches to addressing those issues through organized programs of guided independent study and environmental research.*

(c) *AWARD.*—*Each John H. Chafee Fellowship shall—*

(1) be made available to individual candidates through a sponsoring institution and in accordance with an annual competitive selection process established under subsection (f)(3); and

- (2) *be in the amount of \$25,000.*
- (d) *FOCUS.—Each John H. Chafee Fellowship shall focus on—*
 - (1) *effective land and resource management;*
 - (2) *innovative open space preservation;*
 - (3) *science associated with such worldwide issues as global climate change and sustainable marine resources; or*
 - (4) *any other issue that a sponsoring institution determines to be appropriate.*
- (e) *SPONSORING INSTITUTIONS.—Each year—*
 - (1) *2 John H. Chafee Fellowships shall be awarded by the University of Rhode Island; and*
 - (2) *3 John H. Chafee Fellowships may be applied for through any other sponsoring institution.*
- (f) *PANEL.—*
 - (1) *IN GENERAL.—The National Environmental Education Advisory Council established by section 9(a) shall establish and administer the John H. Chafee Fellowship Panel.*
 - (2) *MEMBERSHIP.—The Panel shall consist of 5 members, appointed by a majority vote of members of the National Environmental Education Advisory Council, of whom—*
 - (A) *2 members shall be professional educators in higher education;*
 - (B) *2 members shall be environmental scientists; and*
 - (C) *1 member shall be a public environmental policy analyst.*
 - (3) *DUTIES.—The Panel shall—*
 - (A) *establish criteria for a competitive selection process for recipients of John H. Chafee Fellowships;*
 - (B) *receive applications for John H. Chafee Fellowships; and*
 - (C) *annually review applications and select recipients of John H. Chafee Fellowships.*
- (g) *DISTRIBUTION OF FUNDS.—The amount of each John H. Chafee Fellowship shall be provided directly to each recipient selected by the Panel upon receipt of a certification from the recipient that the recipient will adhere to a specific and detailed plan of study and research.*
- (h) *FUNDING.—From amounts made available under section 11(b)(1)(C) for each fiscal year, the Office of Environmental Education shall make available—*
 - (1) *\$125,000 for John H. Chafee Memorial Fellowships; and*
 - (2) *\$25,000 to pay administrative expenses incurred in carrying out the John H. Chafee Memorial Fellowship Program.*

[SEC. 8. ENVIRONMENTAL EDUCATION AWARDS.

[(a) The Administrator shall provide for a series of national awards recognizing outstanding contributions to environmental education.

[(b) In addition to such other awards as the Administrator may provide for, national environmental awards shall include—

[(1) The “Theodore Roosevelt Award” to be given in recognition of an outstanding career in environmental education, teaching, or administration;

[(2) The “Henry David Thoreau Award” to be given in recognition of an outstanding contribution to literature on the natural environment and environmental pollution problems;

[(3) The “Rachael Carson Award” to be given in recognition of an outstanding contribution in print, film, or broadcast media to public education and information on environmental issues or problems; and

[(4) The “Gifford Pinchot Award” to be given in recognition of an outstanding contribution to education and training concerning forestry and natural resource management, including multiple use and sustained yield land management.

[(c) Recipients of education awards provided for in subsection (b) shall be nominated by the Environmental Education Advisory Council provided for in section 9 of this Act.

[(d) The Administrator may provide for the “President’s Environmental Youth Awards” to be given to young people in grades kindergarten through twelfth for an outstanding project to promote local environmental awareness.

[(e)(1) The Chairman of the Council on Environmental Quality, on behalf of the President, is authorized to develop and administer an awards program to recognize elementary and secondary education teachers and their local educational agencies who demonstrate excellence in advancing environmental education through innovative approaches. One teacher, and the local education agency employing such teacher, from each State, including the District of Columbia and the Commonwealth of Puerto Rico, are eligible to be selected for an award pursuant to this subsection.

[(2) The Chairman is authorized to provide a cash award of up to \$2,500 to each teacher selected to receive an award pursuant to this section, which shall be used to further the recipient’s professional development in environmental education.

[(3) The Chairman is also authorized to provide a cash award of up to \$2,500 to the local education agency employing any teacher selected to receive an award pursuant to this section, which shall be used to fund environmental educational activities and programs. Such awards may not be used for construction costs, general expenses, salaries, bonuses, or other administrative expenses.】

SEC. 8. NATIONAL ENVIRONMENTAL EDUCATION AWARDS.

(a) *PRESIDENT’S ENVIRONMENTAL YOUTH AWARDS.*—*The Administrator may establish a program for the granting and administration of awards, to be known as ‘President’s Environmental Youth Awards’, to young people in grades kindergarten through 12 to recognize outstanding projects to promote local environmental awareness.*

(b) *TEACHERS’ AWARDS.*—

(1) *IN GENERAL.*—*The Chairman of the Council on Environmental Quality, on behalf of the President, may establish a program for the granting and administration of awards to recognize—*

(A) *teachers in elementary schools and secondary schools who demonstrate excellence in advancing environmental education through innovative approaches; and*

(B) *the local educational agencies of the recognized teachers.*

(2) *ELIGIBILITY.—One teacher, and the local education agency employing the teacher, from each State, the District of Columbia, and the Commonwealth of Puerto Rico, shall be eligible to be selected for an award under this subsection.*

SEC. 9. ENVIRONMENTAL EDUCATION ADVISORY COUNCIL AND TASK FORCE.

(a) There is hereby established a National Environmental Education Advisory Council and a Federal Task Force on Environmental Education.

(b)(1) The Advisory Council shall advise, consult with, and make recommendations to, the Administrator on matters relating to activities, functions, and policies of the Agency under this Act. With respect to such matters, the Council shall be the exclusive advisory entity for the Administrator. The Council may exchange information with other Advisory Councils established by the Administrator. The Office of Environmental Education shall provide staff support to the Council.

[(2) The Advisory Council shall consist of 11 members appointed by the Administrator after consultation with the Secretary. Two members shall be appointed to represent primary and secondary education (one of whom shall be a classroom teacher); two members shall be appointed to represent colleges and universities; two members shall be appointed to represent not-for-profit organizations involved in environmental education; two members shall be appointed to represent State departments of education and natural resources; two representatives shall be appointed to represent business and industry; and one representative shall be appointed to represent senior Americans.]

(2) *MEMBERSHIP.—*

(A) *IN GENERAL.—The Advisory Council shall consist of not more than 11 members appointed by the Administrator after consultation with the Secretary.*

(B) *REPRESENTATIVES OF SECTORS.—To the maximum extent practicable, the Administrator shall appoint to the Advisory Council at least 1 member to represent each of—*

(i) elementary schools and secondary schools;

(ii) colleges and universities;

(iii) not-for-profit organizations involved in environmental education;

(iv) State departments of education and natural resources;

(v) business and industry; and

(vi) senior Americans. [A representative]

(C) *REPRESENTATIVE OF THE SECRETARY.—A representative of the Secretary shall serve as an ex officio member of the Advisory Council. [The conflict]*

(D) *CONFLICTS OF INTEREST.*—*The conflict of interest provision at section 208(a) of title 18, United States Code, shall not apply to members' participation in particular matters which affect the financial interests of employers which they represent pursuant to this subsection.*

(3) The Administrator shall provide that members of the Council represent the various geographic regions of the country, has minority representation, and that the professional backgrounds of the members include scientific, policy, and other appropriate disciplines.

(4) Each member of the Advisory Council shall hold office for a term of 3 years, except that—

(A) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and

(B) the terms of the members first taking office shall expire as follows: four shall expire 3 years after the date of enactment of this Act, four shall expire 2 years after such date, and three shall expire 1 year after such date, as designated by the Administrator at the time of appointment.

(5) Members of the Advisory Council appointed under this section shall, while attending meetings of the Council or otherwise engaged in business of the Council, receive compensation and allowances at a rate to be fixed by the Administrator, but not exceeding the daily equivalent of the annual rate of basic pay in effect for grade GS-18 of the General Schedule for each day (including travel time) during which they are engaged in the actual performance of duties vested in the Council. While away from their homes or regular places of business in the performance of services for the Council, members of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5 of the United States Code.

(6) Section 14(a) of the Federal Advisory Committee Act relating to termination, shall not apply to the Advisory Council.

(c)(1) The Federal Task Force on Environmental Education shall advise, consult with and make recommendations to the Administrator on matters relating to implementation of this Act and assure the coordination of such implementation activities with related activities of other Federal agencies.

[(2) Membership of the Task Force shall include the—

[(A) Department of Education,

[(B) Department of the Interior,

[(C) Department of Agriculture,

[(D) the Environmental Protection Agency,

[(E) National Oceanic and Atmospheric Administration,

[(F) Council on Environmental Quality,

[(G) Tennessee Valley Authority, and

[(H) National Science Foundation.]

(2) *MEMBERSHIP.*—*Membership on the Task Force shall be open to representatives of any Federal agency actively engaged in environmental education.*

(3) The Environmental Protection Agency shall chair the Task Force.

(4) The Administrator may ask other Federal agencies to participate in the meetings and activities of the Task Force where the Administrator finds it appropriate in carrying out the requirements of this Act.

[(d)(1) The Advisory Council shall, after providing for public review and comment, submit to the Congress, within 24 months of enactment of this Act and biennially thereafter, a report which shall—

[(A) describe and assess the extent and quality of environmental education in the Nation;

[(B) provide a general description of the activities conducted pursuant to this Act and related authorities over the previous 2-year period;

[(C) summarize major obstacles to improving environmental education (including environmental education programs relating to national parks and wildlife refuges) and make recommendations for addressing such obstacles;

[(D) identify personnel skills, education, and training needed to respond to current and anticipated environmental problems and make recommendations for actions to assure sufficient educational and training opportunities in these professions; and

[(E) describe and assess the extent and quality of environmental education programs available to senior Americans and make recommendations thereon; describe the various Federal agency programs to further senior environmental education; and evaluate and make recommendations as to how such educational apparatuses could best be coordinated with nonprofit senior organizations across the Nation, and environmental education institutions and organizations now in existence.

[(2) The]

(d) *MEETINGS AND REPORTS.*—

(1) *IN GENERAL.*—*The Advisory Council shall—*

(A) *hold biennial meetings on timely issues regarding environmental education; and*

(B) *issue a report describing the proceedings of each meeting and recommendations resulting from the meeting.*

(2) *REVIEW AND COMMENT ON DRAFT REPORTS.*—*The Federal Task Force on Environmental Education shall review and comment on a draft of the report to Congress.*

[SEC. 10. THE NATIONAL ENVIRONMENTAL EDUCATION AND TRAINING FOUNDATION.]

SEC. 10. NATIONAL ENVIRONMENTAL LEARNING FOUNDATION.

(a) *ESTABLISHMENT AND PURPOSES.*—

(1) *ESTABLISHMENT.*—(A) There is hereby established the [National Environmental Education and Training Foundation] *National Environmental Learning Foundation*. The Foundation is established in order to extend the contribution of environmental education and training to meeting critical environ-

mental protection needs, both in this country and internationally; to facilitate the cooperation, coordination, and contribution of public and private resources to create an environmentally advanced educational system; and to foster an open and effective partnership among Federal, State, and local government, business, industry, academic institutions, community based environmental groups, and international organizations.

(B) The Foundation is a charitable and nonprofit corporation whose income is exempt from tax, and donations to which are tax deductible to the same extent as those organizations listed pursuant to section 501(c) of the Internal Revenue Code of 1986. The Foundation is not an agency or establishment of the United States.

(2) PURPOSES.—The purposes of the Foundation are—

(A) subject to the limitation contained in the final sentence of subsection (d) herein, to encourage, accept, leverage, and administer private gifts for the benefit of, or in connection with, the environmental education and training activities and services of the United States Environmental Protection Agency;

(B) to conduct such other environmental education activities as will further the development of an environmentally conscious and responsible public, a well-trained and environmentally literate workforce, and an environmentally advanced educational system;¹

(C) to participate with foreign entities and individuals in the conduct and coordination of activities that will further opportunities for environmental education and training to address environmental issues and problems involving the United States and Canada or Mexico.

(3) PROGRAMS.—The Foundation will develop, support, and/or operate programs and projects to educate and train educational and environmental professionals, and to assist them in the development and delivery of environmental education and training programs and studies.

(b) BOARD OF DIRECTORS.—

(1) ESTABLISHMENT AND MEMBERSHIP.—(A) The Foundation shall have a governing Board of Directors (hereafter referred to in this section as “the Board”), which shall consist of **[13]** 19 directors, each of whom shall be knowledgeable or experienced in the environment, education and/or training. The Board shall oversee the activities of the Foundation and shall assure that the activities of the Foundation are consistent with the environmental and education goals and policies of the Environmental Protection Agency and with the intents and purposes of this Act. The membership of the Board, to the extent practicable, shall represent diverse points of view relating to environmental education and training.

(B) The Administrator of the Environmental Protection Agency shall, pursuant to paragraph (2), appoint the Director of the Office of Environmental Education established pursuant to section 3 of this Act as an ex-officio member of the Board.

¹ So in original. Probably should end with “and”.

Ex officio membership shall also be offered to other Federal agencies or departments with an interest and/or experience in environmental education and training.

(C) Appointment to the Board shall not constitute employment by, or the holding of an office of, the United States for the purposes of any Federal law.

(2) APPOINTMENT AND TERMS.—(A) Members of the Board shall be appointed by the Administrator of the Environmental Protection Agency.

(B) Within 90 days of the date of the enactment of this Act, and as appropriate thereafter, the Administrator shall publish in the Federal Register an announcement of appointments of Directors of the Board. At the same time, the Administrator shall transmit a copy of such announcement to the Education and Labor Committee and the Committee on Energy and Commerce of the House of Representatives and the Committee on Environment and Public Works of the United States Senate. Such appointments shall become final and effective 90 days after publication in the Federal Register.

(C) The directors shall be appointed for terms of 4 years, except that the Administrator, in making the initial appointments to the Board, shall appoint 5 directors to a term of 2 years, 4 directors to a term of 3 years, and 4 directors to a term of 4 years. The Administrator shall appoint an individual to serve as a director in the event of a vacancy on the Board within 60 days of said vacancy in the manner in which the original appointment was made. No individual may serve more than 2 consecutive terms as a director.

(3) CHAIR.—The Chair shall be elected by the Board from its members for a 2-year term.

(4) QUORUM.—A majority of the current membership of the Board shall constitute a quorum for the transaction of business.

(5) MEETINGS.—The Board shall meet at the call of the Chair at least twice a year. If a Director misses three consecutive regularly scheduled meetings, that individual may be removed from the Board and that vacancy filled in accordance with this subsection.

(6) REIMBURSEMENT OF EXPENSES.—Members of the Board shall serve without pay, but may be reimbursed for the actual and necessary traveling and subsistence expenses incurred by them in the performance of the duties of the Foundation.

(7) GENERAL POWERS.—(A) The Board may complete the organization of the Foundation by—

- (i) appointing officers and employees;
- (ii) adopting a constitution and bylaws consistent with the purposes of the Foundation and the provisions of this section; and
- (iii) undertaking such other acts as may be necessary to carry out the provisions of this section.

(B) The following limitations apply with respect to the appointment of officers and employees of the Foundation:

- (i) Officers and employees may not be appointed until the Foundation has sufficient funds to pay for their serv-

ice. Officers and employees of the Foundation shall be appointed without regard to the provisions of title 5, of the United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 or subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no individual so appointed may receive pay in excess of the annual rate of basic pay in effect for grade GS-18 of the General Schedule.

(ii) The first officer or employee appointed by the Board shall be the Executive Director of the Foundation who—

(I) shall serve, at the direction of the Board, as the Secretary of the Board and the Foundation's chief executive officer; and

(II) shall be experienced in matters relating to environmental education and training.

(c) RIGHTS AND OBLIGATIONS OF THE FOUNDATION.—

(1) IN GENERAL.—The Foundation—

(A) shall have perpetual succession;

(B) may conduct business throughout the several States, territories, and possessions of the United States and abroad;

(C) shall have its principal offices in the District of Columbia or in the greater metropolitan area; and

(D) shall at all times maintain a designated agent authorized to accept service of process for the Foundation.

The service of notice to, or service of notice upon, the agent required under paragraph (4), or mailed to the business address of such agent, shall be deemed as service upon or notice to the Foundation.

(2) SEAL.—The Foundation shall have an official seal selected by the Board which shall be judicially noticed.

(3) POWERS.—To carry out its purposes under section 10(a) of this Act, the Foundation shall have, in addition to the powers otherwise given it under this section, the usual powers of a corporation acting as a trustee, including the power—

(A) to accept, receive, solicit, hold, administer, and use any gift, devise, or bequest, either absolutely or in trust, of real or personal property or any income therefrom or other interest therein;

(B) to acquire by purchase or exchange any real or personal property or interest therein;

(C) unless otherwise required by the instrument of transfer, to sell, donate, lease, invest, reinvest, retain, or otherwise dispose of any property or income therefrom;

(D) to sue, or to be sued, and complain or defend itself in any court of competent jurisdiction, except that the Directors of the Board shall not be personally liable, except for gross negligence;

(E) to enter into contracts or other arrangements with public agencies and private organizations and persons and to make such payments as may be necessary to carry out its functions; and

(F) to do any and all acts necessary and proper to carry out the purposes of the Foundation.

(d) CONDITIONS ON DONATIONS.—

(1) For the purposes of this section, a gift, devise, or bequest may be accepted by the Foundation even though it is encumbered, restricted, or subject to beneficial interests of private persons if any current future interest therein is for the benefit of the Foundation.

(2) No donation, gift, devise, bequest, property (either real or personal), voluntary services, or any other thing of value may be accepted by the Foundation if it—

(A) is contingent upon the transmission by the Foundation of materials or information prepared by the donor or a third party in such a fashion as to convey a particular point of view favorable to the economic interests of the donor or its constituents or associates; or

(B) in the judgment of the Board carries with it an explicit or implied requirement on the part of the Foundation to do a specific act or make general representations which are to the benefit of the donor and which are not consistent with the environmental and education goals and policies of the Environmental Protection Agency and with the intents and purposes of this Act.

[(3) No materials bearing “logos”, letterhead or other means of identification associated with a donor or third party may be transmitted by the Foundation, for use in environmental education and training except as required pursuant to subsection (f).]

(3) *ACKNOWLEDGMENT OF DONORS.—The Foundation may acknowledge receipt of donations by means of a listing of the names of donors in materials distributed by the Foundation, except that any such acknowledgment—*

(A) shall not appear in educational material presented to students; and

(B) shall not identify a donor by means of a logo, letterhead, or other corporate commercial symbol, slogan, or product.

(e) ADMINISTRATIVE SERVICES AND SUPPORT.—Subject to the requirements of this subsection, the Administrator may provide personnel, facilities, and other administrative services to the Foundation, including reimbursement of expenses under subsection (b)(6) of this section, not to exceed then current Federal Government per diem rates, [for a period of up to 4 years from the date of enactment of this Act,] and may accept reimbursement therefor, to be deposited in the Treasury to the credit of the appropriations then current and chargeable for the costs of providing such services. With respect to personnel, the Administrator may provide no more than 1 full-time employee to serve the Foundation in a policy capacity, and may provide clerical and other support staff at a level equivalent to 2 full-time equivalent employees to the Foundation, for a period not to exceed 2 years from the date of initial assignment of any personnel for this purpose.

(f) REPORT.—The Foundation shall, as soon as practicable after the end of each fiscal year, transmit to Congress a report of its pro-

ceedings and activities during the year, including a full and complete statement of its receipts, expenditures, and investments.

(g) **VOLUNTEER STATUS.**—The Administrator may accept, without regard to the civil service classification laws, rules, or regulations, the services of the Foundation, the Board, and the officers and employees of the Board, without compensation from the Environmental Protection Agency, as volunteers in the performance of the functions authorized herein, in the manner provided for under this section.

(h) **AUDITS AND PETITION OF THE ATTORNEY GENERAL FOR EQUITABLE RELIEF.**—For purposes of the Act entitled “An Act for audit of accounts of private corporations established under Federal law”, approved August 30, 1964 (Public Law 88–504; 36 U.S.C. 1101–1103), the Foundation shall be treated as a private corporation established under Federal law.

(i) **UNITED STATES RELEASE FROM LIABILITY.**—The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation nor shall the full faith and credit of the United States extend to any obligation of the Foundation.

(j) **AMENDMENT AND REPEAL.**—The Congress expressly reserves the right to repeal or amend this section at any time.

[SEC. 11. AUTHORIZATION.

[(a) There is hereby authorized to be appropriated to the Environmental Protection Agency to carry out this Act not to exceed \$12,000,000 for each fiscal year 1992 and 1993, not to exceed \$13,000,000 for fiscal year 1994, and not to exceed \$14,000,000 for each fiscal year 1995 and 1996.

[(b) Of such sums appropriated in a fiscal year, 25 percent shall be available for the activities of the Office of Environmental Education, 25 percent shall be available for the operation of the environmental education and training program, 38 percent shall be available for environmental education grants, 10 percent shall be available for support of the National Environmental Education and Training Foundation, and 2 percent shall be available to support awards pursuant to section 8(e) of this Act.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

(a) *IN GENERAL.*—*There is authorized to be appropriated to the Environmental Protection Agency to carry out this Act \$10,000,000 for each of fiscal years 2000 through 2005.*

(b) *LIMITATIONS.*—

(1) *IN GENERAL.*—*Subject to paragraph (2), of the amounts made available under subsection (a) for each fiscal year—*

(A) *not more than 25 percent may be used for the activities of the Office of Environmental Education established under section 4;*

(B) *not more than 25 percent may be used for the operation of the environmental education and training program under section 5;*

(C) *not less than 40 percent shall be used for environmental education grants under section 6 and for the John*

H. Chafee Memorial Fellowship Program under section 7; and

(D) 10 percent shall be used for the activities of the Foundation under sections 7 and 10.

(2) ADMINISTRATIVE EXPENSES.—Of the amounts made available under paragraph (1)(A) for each fiscal year, not more than 25 percent may be used for administrative expenses of the Office of Environmental Education.

(c) EXPENSE REPORT.—As soon as practicable after the end of each fiscal year, the Administrator shall submit to Congress a report describing in detail the activities for which funds appropriated for the fiscal year were expended.

[(c)] (d) Funds appropriated pursuant to this section may be made available to the National Environmental Education and Training Foundation to—

(1) match partially or wholly the amount or value of contributions (whether in currency, services, or property) made to the Foundation by private persons and State and local governments; and

(2) provide administrative services under section [10(d) of this Act] section 10(e):

Provided, That the Administrator determines that such funds will be used to carry out the statutory purposes of the Foundation in a manner consistent with the goals, objectives and programs of this Act.

